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33-CV-2017-900081.00
CIRCUIT COURT OF
FRANKLIN COUNTY, ALABAMA
ANITA SCOTT, CLERK

IN THE CIRCUIT COURT OF FRANKLIN COUNTY, ALABAMA

AUBREY DALE MILLS,

PLAINTIFF,

VS.

CASE NUMBER:

TRANSCO EXPRESS CORP., BLUE STAR CLAIMS MANAGEMENT, FAIRMONT SPECIALTY INSURANCE COMPANY A/K/A FAIRMONT SPECIALTY GROUP INC., UNITED STATES FIRE INSURANCE COMPANY, No. 1. whether singular or plural, that entity or those entities who or which was defendant's employee at the time of the occurrence made the basis of plaintiff's complaint which participated and/or had part in the incident made the basis of the plaintiff's complaint; No. 2. that person or those persons, individually and/or as partners, who had ownership and/or interest in said named entities; No. 3. whether singular or plural, that entity or those entities described above, which is the successor-in-interest of any of those entities described above; No.4. whether singular or plural, that entity or those entities which provided a policy and/or policies of insurance to named entity; Plaintiff avers that the identity of the fictitious party defendants is otherwise unknown to Plaintiff at this time, or, if their names are known to Plaintiff at this time their identity as proper party defendants is not known to Plaintiff at this time; but their true names will be substituted by amendment when the aforesaid lacking knowledge is ascertained,

DEFENDANTS.

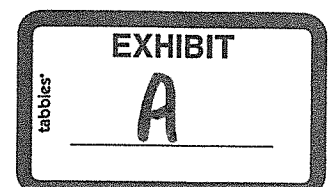
COMPLAINT

Comes now the Plaintiff, Aubrey Dale Mills, in the above styled cause and would show unto this Honorable Court his complaint as follows, to-wit:

COUNT I

WORKERS' COMPENSATION AND/OR OTHER BENEFITS
PURSUANT TO HIS POLICY OF OCCUPATIONAL AND ACCIDENT INSURANCE

1. That Plaintiff, Aubrey Dale Mills, was on or about, to-wit, the 30th day of March 2015, a resident/citizen of Hamilton, Marion County, Alabama, and a worker or employee employed by Transco Express Corp. Defendants were operating business entities in Alabama on the occasion made the basis of this suit, with the principle place of business of said defendants being Transco Express Corp, 154 First Street, SW, Hamilton.



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Alabama, 35570 and/or 9905 Highway 43, Russellville, AL, 35653.

2. That on or about, to-wit, 30th day of March 2015, while the plaintiff was employed by the defendants, plaintiff suffered an injury to his body which resulted in severe personal injuries and as a result is permanently and totally disabled. Plaintiff avers that said injuries arose out of and on account of his employment by the defendants while he was working for Transeo Express Corp., at a show in Tunica, Mississippi. Defendants were subject to the Workmen's Compensation Laws of Alabama and/or Mississippi at the time and place of the incident made the basis of this suit.
3. Plaintiff avers that said employers had prompt notice of the fact that plaintiff was so injured, in that his injuries were duly reported to the supervisor for the employer.
4. Plaintiff avers that at the time of said injury his average weekly wage was \$2,000.00 a week.
5. Plaintiff avers that as a proximate result of said accident and injury sustained by him as set out above, he has suffered permanent disability to his body under the Workmen's Compensation Laws of the State of Alabama and/or Mississippi.
6. Plaintiff would further show that this claim is filed pursuant to Sec. 25-5-1, et seq. Code of Alabama, (1975); and or the applicable workers compensation laws of the State of Mississippi.

WHEREFORE, the premises considered, Plaintiff prays for workers compensation benefits he is entitled to under the laws of the State of Alabama and/or Mississippi as determined by the Court to be applicable to this accident.

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**COUNT II
COMPLAINT FOR BENEFITS OWED PURSUANT TO OCCUPATIONAL AND
ACCIDENT INSURANCE POLICY**

7. Plaintiff re-adopts and re-alleges each and every allegation set forth in paragraphs 1 through 6 as if fully set out herein.
8. Plaintiff would show that at the time of the incident that forms the basis of this suit Plaintiff was paying for a policy of insurance provided by United States Fire Insurance and/or Blue Star Claims Management and/or Fairmont Specialty Insurance Company a/k/a Fairmont Specialty Group Inc for disability insurance and/or occupational and accident insurance which would be responsible to pay the Plaintiff for the claims, injuries and resulting disability which form the basis of this suit.
9. Plaintiff would show that the above referenced insurance company(ies) paid certain sums after his accident but have failed to pay as required by the policy they issued and/or have not paid for the Plaintiff's permanent disability.

WHEREFORE, the premises considered, Plaintiff prays for any and all benefits he is entitled pursuant to policy(ies) of occupational and accident insurance for which he purchased from the Defendants.

DATED this the 30th day of March, 2017.

/s/Jeffrey L. Bowling

Jeffrey L. Bowling (BOW037)

OF COUNSEL:

Bedford, Rogers & Bowling
PO Box 669
Russellville, AL 35653
Attorney for Plaintiff
(256)332-2880
Fax: (256)332-7821
jeffbrbpc@bellsouth.net

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"PLAINTIFF REQUESTS SERVICE OF PROCESS BY CERTIFIED MAIL"

TRANSCO EXPRESS CORP.
1541 FIRST STREET, SW
HAMILTON, AL 35570

TRANSCO EXPRESS CORP.
9905 HIGHWAY 43
RUSSELLVILLE, AL 35653

BLUE STAR CLAIM MANAGEMENT
21001 NORTH TATUM BLVD.
SUITE 1630-646
PHOENIX, AZ 85050

FAIRMONT SPECIALTY INSURANCE COMPANY
A/K/A FAIRMONT SPECIALTY GROUP INC.
5 CHRISTOPHER WAY
3RD FLOOR
EATONTOWN, NJ 07724

UNITED STATES FIRE INSURANCE COMPANY
5 CHRISTOPHER WAY
3RD FLOOR
EATONTOWN, NJ 07724

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STATE OF Alabama
COUNTY OF Franklin

Before me the undersigned, a Notary Public, in and for said County in said State, personally appeared AUBREY DALE MILLS, Plaintiff in the above styled cause and by me being first duly sworn to speak the truth says that he has personal knowledge of the averments set forth in the foregoing complaint and that the same are true of his own knowledge.

Aubrey Dale Mills
AUBREY DALE MILLS

Sworn and subscribed before me this the 30th day of March, 2017

Anna Hall
NOTARY PUBLIC
My Commission Expires: 9-8-19

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APPLICATION TO EMPLOY ATTORNEY

Comes now the Plaintiff in the above styled cause and shows unto Your Honor that on or about, the day of 30th of March 2015, Plaintiff, was an employee of the Defendant(s) as defined by the Workmen's Compensation Laws of Alabama and/or Mississippi. On such date and while acting within the line and scope of his employment, Plaintiff was injured. Defendant(s) had notice of this injury and has failed or refused to pay compensation benefits due under the law. Plaintiff suffered severe injuries and has been unable to reach a settlement with the Defendant(s). Plaintiff therefore, prays for permission to secure the services of an attorney to represent him in this matter, and that he secure the services of Bedford, Rogers & Bowling, P.C., Attorneys-at-Law, Russellville, Alabama.


AUBREY DALE MILLS